IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 5946 of 2007()

CRMP.6437/2007 of J.M.F.C.,OTTAPPALAM
O.R.NO.8/07 OF FOREST RANGE OFFICE, OTTAPPALAM

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PETITIONER : 1ST ACCUSED

P.M.MOIDU, AGED 27 YEARS,
S/O.HAMSA, PRANTHANKUNNATHU VEEDU,
PUMETHRA, KULUKKALLUT POST
OTTAPPALAM TALUK.

BY ADV. SRI.E.R.VENKATESWARAN
SRI.R.SREEHARI

RESPONDENTS:

STATE OF KERALA REP.BY THE
FOREST RANGE OFFICER, OTTAPPALAM
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5946 of 2007

Dated this the 4th day of October, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused. Altogether there are 4 accused persons. Accused 3 and 4 have already been arrested and enlarged on bail. Accused 2 is yet to be apprehended. The crux of the allegations against the accused persons is that they cut and removed a Sandalwood tree standing in the reserve forest. Investigation is in progress. The alleged incident took place on 12.09.07. The petitioner was arrested on that date. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 12.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-